

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CATHERINE GIBSON,

Plaintiff,

-v-

526 WEST 158TH STREET HDFC et al.,

Defendants.  
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21-CV-7042 (JMF)

ORDER


JESSE M. FURMAN, United States District Judge:

On August 20, 2021, this action was removed from the Supreme Court of New York, New York County. *See* ECF No. 1 (“Notice of Removal”). On August 23, 2021, Plaintiff filed an “Emergency” Motion to Remand to State Court, arguing, among other things, that Defendants Jose Castillo and Maria Castillo did not consent to removal as required by 28 U.S.C. § 1446(a)(2)(A). *See* ECF No. 6 (“Pl.’s Mot.”) On August 24, 2021, Plaintiff filed a Supplemental Motion to Remand to State Court. *See* ECF No. 8. (“Pl.’s Supp. Mot.”).

Defendants shall file a single, consolidated response to Plaintiff’s motions to remand no later than **August 31, 2021**. They should respond, in particular, to Plaintiff’s argument that the Notice of Removal does not satisfy the rule of unanimity. *See* Pl.’s Mot. 9; *see also, e.g., Commonwealth Advisors Inc. v. Wells Fargo Bank, Nat’l Ass’n*, No. 15-CV-7834 (JMF), 2016 WL 3542462, at \*3 (S.D.N.Y. June 23, 2016) (discussing the rule of unanimity, which provides that “[i]f any defendant does not consent to removal within the [statutory thirty-day period], the plaintiff’s decision to bring his action in a state forum will trump and removal will fail”). Plaintiff may file any reply **within one week** of the filing of Defendant’s response. If Defendants fail to file anything by August 31, 2021, the Court will remand this action to the Supreme Court of New York, New York County, without further notice to either party.

SO ORDERED.

Dated: August 24, 2021  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge